

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

JASON ALFORD *et al.*,

Plaintiffs,

v.

THE NFL PLAYER DISABILITY &
SURVIVOR BENEFIT PLAN *et al.*,

Defendants.

Case No. 1:23-cv-00358-JRR

**JOINT MOTION FOR LEAVE TO EXTEND DEADLINES AND
EXCEED PAGE LIMITATIONS**

Pursuant to Local Rules 105.2 and 105.3, the Parties jointly request leave to modify the filing schedule and page limitations for Defendants' memorandum in support of their joint motion to dismiss the amended complaint, Plaintiffs' opposition thereto, and Defendants' reply in support thereof. In support, the Parties state as follows:

1. Local Rule 105.2 provides that, "[u]nless otherwise ordered by the Court, all memoranda in opposition to a motion shall be filed within fourteen (14) days of the service of the motion and any reply memoranda within fourteen (14) days after service of the opposition memoranda."

2. Local Rule 105.3 provides that, "[u]nless otherwise ordered by the Court, memoranda in support of a motion or in opposition thereto and trial briefs shall not exceed thirty-five (35) pages, and reply memoranda shall not exceed twenty (20) pages, exclusive of (a) affidavits and exhibits, (b) tables of contents and citations, and (c) addenda containing statutes, rules, regulations, and similar material."

3. Plaintiffs filed their 86-page Complaint against the 11 Defendants on February 9, 2023. ECF No. 1.

4. On March 1, 2023, the Defendants who had appeared at that time obtained Plaintiffs' consent to extend the time to respond to the Complaint until April 21, 2023. ECF No. 17. The Court granted Defendants' consent motion and set an April 21, 2023 filing deadline. ECF No. 22.

5. On March 6, 2023, the remaining Defendants obtained Plaintiffs' consent and moved for the same extension. ECF No. 24. The Court granted Defendants' consent motion and set the same April 21, 2023 filing deadline for all Defendants. ECF No. 34.

6. On April 12, 2023, Defendants obtained Plaintiffs' consent and moved to exceed, by 15 pages, the page limitation for the memorandum in support of Defendants' joint motion to dismiss the Complaint. ECF No. 41. The Court granted Defendants' consent motion and set a 50-page length limitation. ECF No. 51.

7. On April 21, 2023, Defendants filed their joint motion to dismiss and 45-page memorandum in support thereof. ECF Nos. 53, 53-1.

8. On April 27, 2023, Plaintiffs obtained Defendants' consent to extend the time to respond to Defendants' motion to dismiss. ECF No. 54. The Court granted Plaintiffs' motion and set a response deadline of June 5, 2023. ECF No. 55.

9. On May 12, 2023, Plaintiffs filed their 120-page Amended Class Action Complaint ("Amended Complaint"). ECF No. 56.

10. Defendants' deadline to respond to the Amended Complaint is May 26, 2023. *See* Fed. R. Civ. P. 15(a)(3).

11. In order to adequately respond to the substantial additions in the Amended Complaint, and for Plaintiffs to adequately respond to Defendants' forthcoming motion to dismiss, the Parties jointly request that the Court enter the following briefing schedule, which the Parties have chosen to accommodate scheduling conflicts on both sides:

Event	Deadline
Defendants' motion to dismiss the Amended Complaint	June 27, 2023
Plaintiffs' response in opposition to Defendants' motion to dismiss	August 11, 2023
Defendants' reply in support of their motion to dismiss	September 14, 2023

12. The Federal Rules and Local Rule 105.3 permit each Defendant to move separately to dismiss Plaintiffs' complaint in a separate brief not to exceed 35 pages, which would potentially amount to 385 pages of briefing.

13. The Parties continue to believe it would serve the interests of efficiency for Defendants to file a joint motion to dismiss Plaintiffs' Amended Complaint. Defendants will use their best efforts to file a consolidated memorandum in support of their joint motion to dismiss that will not exceed 60 pages.

14. The Parties further agree that Plaintiffs should be given the same page-limit extension. Plaintiffs will use their best efforts to file a response in opposition to Defendants' motion that will not exceed 60 pages.

15. The Parties, therefore, jointly request the Court's leave to exceed the 35-page length limitation set forth in Local Rule 105.3 and permit Defendants to file a memorandum in support of their joint motion to dismiss—and Plaintiffs to file a response in opposition thereto—that shall not exceed 60 pages.

16. The relief sought will not prejudice any party or cause undue waste or delay. Rather, the Parties seek this relief in good faith to address Plaintiffs' allegations as efficiently and succinctly as possible.

WHEREFORE, for the foregoing reasons, the Parties jointly respectfully request leave to extend the filing schedule set forth in Local Rule 105.2 and to exceed the limitations on length set forth in Local Rule 105.3.

Date: May 19, 2023

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Respectfully submitted,

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On behalf of all Defendants

CERTIFICATE OF SERVICE

I, Gregory F. Jacob, hereby certify that on May 19, 2023, I caused a copy of the foregoing document to be served upon all counsel of record via the CM/ECF system for the United States District Court for the District of Maryland.

s/ Gregory F. Jacob

Gregory F. Jacob